

Civil Statutes of 1925, so that Presidio county shall not be exempted from the operation of Articles 6972 to 7008, inclusive, relating to the inspection of hides and animals; providing for appointment of an inspector of hides and animals for Presidio county, until the next general election, by the commissioners court of Presidio county; and further providing that should said court fail to appoint such officer that the sheriff of Presidio county shall perform the duties of said office; making provision for the disposition of the fees collected by the sheriff of Presidio county while performing the duties of inspector of hides and animals; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, April 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 919, "An Act authorizing the county commissioners of certain described counties to receive out of the general fund of the county expenses for the operation and upkeep of automobiles not exceeding forty dollars (\$40) per month, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

FORTY-FOURTH DAY.

(Monday, April 20, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Bounds.
Adams of Jasper.	Boyd.
Adamson.	Bradley.
Adkins.	Brice.
Akin.	Bryant.
Albritton.	Burns of Walker.
Alsup.	Burns
Baker.	of McCulloch.
Barron.	Carpenter.
Beck.	Caven.
Bedford.	Claunch.
Bond.	Coltrin.

Coombes.	Lilley.
Cox of Lamar.	Lockhart.
Cunningham.	Long.
Dale.	McCombs.
Daniel.	McDougald.
Davis.	McGill.
DeWolfe.	McGregor.
Dodd.	Magee.
Donnell.	Mathis.
Dowell.	Mehl.
Dunlap.	Metcalfe.
Duvall.	Moffett.
Dwyer.	Moore.
Elliott.	Munson.
Engelhard.	Murphy.
Farmer.	Nicholson.
Farrar.	Olsen.
Ferguson.	O'Quinn.
Fisher.	Patterson.
Forbes.	Petsch.
Ford.	Pope.
Fuchs.	Ratliff.
Gilbert.	Ray.
Giles.	Reader.
Goodman.	Richardson.
Graves.	Rogers.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Satterwhite.
Hardy.	Savage.
Harman.	Scott.
Harrison	Shelton.
of El Paso.	Smith of Bastrop.
Harrison	Smith of Wood.
of Waller.	Sparkman.
Hatchitt.	Stephens.
Herzik.	Stevenson.
Hill.	Steward.
Hines.	Sullivant.
Holder.	Tarwater.
Holland.	Terrell
Holloway.	of Cherokee.
Hoskins.	Terrell
Howsley.	of Val Verde.
Hubbard.	Towery.
Hughes.	Turner.
Jackson.	Van Zandt.
Johnson	Vaughan.
of Dallam.	Veatch.
Johnson	Wagstaff.
of Dimmit.	Walker.
Johnson of Morris.	Warwick.
Jones of Shelby.	Weinert.
Jones of Atascosa.	West of Coryell.
Keller.	West of Cameron.
Kennedy.	Westbrook.
Laird.	Wiggs.
Lasseter.	Wyatt.
Lemens.	Young.
Leonard.	
	Absent.
Cox of Limestone.	Martin.
Hefley.	Strong.
	Absent—Excused.
Anderson.	Brooks.

Finn.
Justiss.
Kayton.
Lee.

Morse.
Ramsey.
Sherrill.

A quorum was announced present.
Prayer was offered by the Rev.
John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business.

Mr. Justiss for today, on motion of Mr. Bounds.

Mr. Sherrill for today, on motion of Mr. Johnson of Dallam.

Mr. Lee for today, on motion of Mr. Burns of McCulloch.

Mr. Kayton for today and tomorrow, on motion of Mr. Dwyer.

Mr. Anderson for today, on motion of Mr. Dwyer.

Mr. Brooks was granted leave of absence, on motion of Mr. Hines, on account of illness.

Mr. Ramsey was granted leave of absence for today on account of illness, on motion of Mr. Adams of Jasper.

BILL ORDERED PRINTED.

On motion of Mr. Long, the committee amendment to House bill No. 302, reported adversely, with a minority favorable report, was ordered printed.

MOTION TO RE-REFER.

Mr. Bradley moved that the resolution heretofore offered relative to armament policy be withdrawn from the Committee on Military Affairs and referred to the Committee on Federal Relations.

On motion of Mr. Coombes, the motion to re-refer the resolution was tabled.

RECALLING SENATE BILL NO. 371 FOR FURTHER CON- SIDERATION.

Mr. Young offered the following resolution:

Whereas, Senate bill No. 371 has been finally passed by the House without a record vote; and

Whereas, It is desirable that this bill be finally passed by a record vote in the House; therefore, be it

Resolved, by the House of Representatives, That the Senate be requested to return this bill for this action.

The resolution was read second time, and was adopted.

RECALLING SENATE BILL NO. 102 FOR FURTHER CON- SIDERATION.

The Speaker laid before the House for consideration at this time, the following resolution:

Senate concurrent resolution No. 32 (by Moore), Recalling Senate bill No. 102:

Whereas, A typographical error in the original of Senate bill No. 102 passed without being noticed; and

Whereas, The error will invalidate said bill; therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That Senate bill No. 102 be recalled from the Governor's desk for correction.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 656 WITH SEN- ATE AMENDMENTS.

Mr. Bryant called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 656, A bill to be entitled "An Act to repeal an Act of the Thirty-third Legislature, First Called Session, 1913, being Senate bill No. 22, creating a road system for Hall county.

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Bryant, the House concurred in the Senate amendments.

RELATIVE TO HOUSE BILL NO. 303.

On motion of Mr. Long (by unanimous consent), the emergency clause was added to the caption of House bill No. 303.

CONFERENCE COMMITTEE RE- PORT ON HOUSE BILL NO. 547.

Mr. Sanders, chairman, submitted the following conference committee report on House bill No. 547:

Committee Room,
Austin, Texas, April 17, 1931.

To the Hon. Edgar E. Witt, President of Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, your free conference committee, appointed to consider and adjust the differences be-

tween the Senate and House on House bill No. 547, have met and carefully considered the bill, with Senate amendments, and beg leave to report the following:

H. B. No. 547.

By Sanders.

A BILL

To Be Entitled

An Act for the purpose of raising revenue by levying an occupation tax upon all producers engaged in the business of producing and selling natural gas in intrastate commerce within the State of Texas, and on dealers in the business of selling cigarettes in intrastate business within the State of Texas, including all persons importing gas or cigarettes into the State and selling the same in intrastate commerce in this State; making certain exceptions; providing for the basis upon which said tax shall be computed; prescribing the manner, method and time of payment thereof, and allowing certain deductions; requiring certain records to be kept, and providing that such records can be inspected by certain State officers; defining certain terms used in said act; prescribing certain duties for the State Treasurer, State Comptroller and Railroad Commission with reference to the collection of said taxes, and giving them certain powers to prescribe certain rules and regulations for the enforcement thereof; prescribing certain offenses for the violation of this act, and providing penalties, fines and punishment therefor; creating liens as to delinquency in the payment of said tax in certain instances; providing for the appropriation and use of the revenues collected hereunder, and providing appropriation to be used in carrying out the provisions of this act by certain State officers; repealing certain portions of Article 6060 of the Revised Civil Statutes of 1925, and all of Section 39 of Article 7047, under Revised Civil Statutes of 1925, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. (a) That from and after the date herein fixed, every person engaging or continuing, within this State, in the business of producing and saving in paying quantities, for sale or for profit, any

natural gas, including casinghead gas, from the soil or waters of this State; and

(b) Every person who imports natural gas into this State and thereafter sells the same in intrastate commerce in this State, the tax to be imposed on the first sale; provided, however, that if any gas is imported into this State from another State, in which latter State a severance, occupation or excise tax is imposed, the person importing such gas shall not be required to pay another tax thereon under the provisions of this act;

(c) Are hereby declared to be "producers" and engaged in the business of producing natural gas within this State and shall make quarterly, on the 25th day of January, April, July and October each year, a report to the Comptroller, under oath, of such person or his duly authorized agent or representative cognizant of the facts, showing the total amount of natural gas produced and saved by producer from each well, in this State or otherwise, and also all natural gas brought into this State through pipe lines and otherwise, and delivered to such producer, upon which gas this tax is computed during the quarter next preceding the first day of said months, and said producer shall accompany said report with a remittance, in the form required by law, in the amount of the tax due.

(d) The Comptroller shall prescribe the form of said report, which, among other things, shall show the total amount of natural gas produced and saved by said producer, and the total amount of gas which has been imported, the total amount of natural gas sold in intrastate commerce by such producer upon which the tax accrues, and said remittance shall be made on the gas produced, and a deduction of two per cent (2%) for evaporation and loss and to cover the expense of keeping records by such producer, shall be deducted.

Sec. 2. The terms "producer," "produced" and "producing," as defined herein, shall include every person producing natural gas, upon which a tax accrues hereunder, and the tax shall be paid on the first sale of gas in intrastate commerce in this State where gas is imported. "Person" shall include every class of persons, including trustees, receivers, corpora-

tions, partnerships and associations of every kind. Quarters upon which said tax shall be computed shall be January, February and March, and the successive quarters of the year, and the tax shall be paid on the 25th day of the succeeding month after each quarter. It is intended to burden the industry with but a single tax, and no producer shall be required to pay a tax on any gas upon which a tax has previously been paid, or one against whom such a tax has theretofore accrued in Texas. Provided, that no producer shall be required to make a report on, or keep records of, or pay a tax on any natural gas, the requiring of which by the provisions of this act would constitute a direct and unlawful burden on interstate business, or be obnoxious to the Constitution of the State or of the United States, and no tax shall be collected on sales made by producers directly to the government of the United States or any branches, agencies or instrumentalities thereof.

Sec. 3. A tax shall be paid quarterly by each producer on the amount of gas produced and saved within this State, and on gas imported into the State, upon the first sale thereof in intrastate commerce upon the following basis: A tax equivalent to two per cent of the market value of the total amount of gas produced and saved within this State, or sold, if imported into this State, at the average market value thereof, as and when produced.

Sec. 4. Every producer required to pay a tax under the provisions of this act shall keep a complete record on such forms as shall be required by the Comptroller showing the amount of gas produced within this State and disclosing such other information as the Comptroller may require by appropriate rules and regulations, and the Comptroller may also adopt rules and regulations requiring such distributor to give meter readings not more than once each month.

Sec. 5. (a) Any producer failing to pay the tax on the date due shall forfeit as a penalty two per cent (2%) of the amount of the tax due, and if not paid within thirty (30) days, shall forfeit an additional eight per cent (8%), which tax and penalties accruing hereunder shall bear interest at the rate of ten per cent (10%) per annum from the date due.

(b) All taxes, penalties and inter-

est due by any producer shall constitute a preferred lien on all of his wells, leases, and other property devoted to or used in his business as producer, not exempt under the Constitution, and if any producer shall fail to remit the proper taxes, penalties and interest due, or any of them, the Comptroller may employ auditors or other persons to ascertain the correct amount due, and the producer shall be liable, as an additional penalty, for the reasonable expenses or the reasonable value of such services of representatives of the Comptroller, incurred in such investigation and audit; provided, that all funds collected for audits and examinations shall be placed in a special fund in the Treasury and shall constitute a revolving fund which may be used from time to time by the Comptroller in making such audits in addition to the general appropriation made for such purpose, and all of said funds to be placed in said special fund are hereby appropriated for such purpose.

(c) The Attorney General shall enforce the provisions hereof and an injunction proceeding may be brought to enjoin any producer from producing natural gas, who fails or refuses to pay taxes when due, or comply with the provisions hereof. The Railroad Commission shall also assist in the enforcement of the provisions hereof, and the Comptroller shall allow the Railroad Commission to inspect the reports or may require every producer to make same in duplicate, and the Comptroller shall send one copy of such reports to the Railroad Commission each month.

(d) Any suit to collect taxes or to enforce any of the provisions hereof may be brought in Travis county, Texas.

Sec. 6. Whoever shall, as a producer or as agent or representative of a producer, knowingly make any false entries or fail to make any proper entries in the books required by this act with intent to defraud the State; or whoever as such, shall knowingly make a false or incomplete report as required by the provisions of this act; or whoever as such shall knowingly fail or refuse to make the report required to be made; or whoever, as such, shall destroy, mutilate or secrete any of the records required to be kept by the provisions of this act; or whoever shall, as such, hide or secrete with intent to defraud, any of the property upon which a lien is created

hereunder, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than one hundred dollars (\$100), nor more than one thousand dollars (\$1000), or be confined in the county jail not more than twelve months, or by both such fine and imprisonment; and, in addition thereto, shall forfeit to the State of Texas, for any said offense or the violation of any of the provisions hereof, or any rule or regulation, a penalty of one thousand dollars (\$1000) for each such offense, to be recovered by the Attorney General.

Sec. 7. The Attorney General, Comptroller and Railroad Commission shall have the right to examine any of the books, records or properties of any producer, and of any other person in Texas buying gas from any such producer. Any person refusing such examination shall be liable for the punishment and penalties prescribed in the foregoing section.

Sec. 8. The Comptroller shall have the power to adopt any rules and regulations requiring the installation of meters of an approved design and the mode and manner of keeping and reading the same, and every producer is required, by the provisions of this act, to install necessary meters.

Sec. 9. The first tax required to be paid hereunder shall be due October 25, 1931, computed and estimated on gas produced during the quarter next preceding, to-wit: July, August and September.

Sec. 10. That Article 6060 of the Revised Civil Statutes of 1925, except in so far as it imposes a license fee or tax of one-fourth of one per cent against persons owning, operating, or managing pipe lines, as provided in Section 2 of Article 6050, is hereby repealed and said fund shall be used for enforcing the provisions of Articles 6050 to 6066, inclusive.

Sec. 11. In order to supplement the State's Available School Fund, and to reduce the burden of ad valorem taxation on the farms and homes and other property of the people, there is hereby levied a tax on all sales in intrastate commerce, in this State of cigarettes, made of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand of \$1.50 per thousand, and on those weighing more than three pounds per thousand of \$3.60 per thousand. Such tax shall be paid only once, on ac-

count of any cigarettes so sold, by the person, firm or corporation making the first sale thereof in intrastate commerce in this State, and payment shall be evidenced by stamps purchased from the State Treasurer and properly cancelled and securely affixed to the package or parcel containing the same, covering the amount of the tax thereon as levied by this act, provided that such stamps may be purchased and cancelled and affixed to such package or parcel by a manufacturer or distributor outside this State, in which case no further payment of tax shall be required.

Sec. 12. It is the purpose and intent of this act to relieve retail dealers in cigarettes in this State from all accountability by reason of sales thereof, except to make it unlawful to sell cigarettes on which the tax herein levied has not been paid, and which are not contained in packages or parcels to which are securely affixed the stamps evidencing payment of tax as required by this act; and paragraph 39 of Article 7047 of the Revised Civil Statutes of 1925, requiring dealers in cigarettes to obtain and pay for an annual license authorizing such sale is hereby repealed.

Sec. 13. It shall be the duty of the State Treasurer to have engraved or printed the stamps of the proper denomination necessary to comply with this act and to sell the same to all manufacturers or dealers upon demand and payment therefor, and one-half of the proceeds of such sale shall be placed to the credit of the State Available School Fund, and one-half thereof to the General Fund, and the State Treasurer shall be responsible for the custody and sale of such stamps and for the proceeds of such sales under his official bond. Such stamps shall be of such design as the State Treasurer shall from time to time prescribe, and shall state the amount of tax, the payment of which is evidenced thereby and shall contain the words: "Texas State Tax Paid."

Sec. 14. After this act shall take effect any person who shall knowingly and willfully sell or offer for sale, in this State, either as principal or as agent, any cigarettes except in packages or parcels bearing the stamps, properly cancelled, evidencing the payment of the tax thereon as levied by this act, shall, for each such sale, upon conviction, be fined not less than \$25 nor more than \$500,

or be punished by imprisonment in the county jail for not less than ten days nor more than one year, or by both fine and imprisonment, and any person, firm or corporation who shall sell or offer for sale, or aid or abet the sale, of any cigarettes in packages or parcels not bearing the stamps, properly cancelled, evidencing the payment of the tax thereon as levied by this act, shall be liable to the State for a penalty of \$500 for each such unlawful sale, to be recovered at the suit of the State in any district court of Travis county for the benefit of the State available school fund.

Sec. 15. Any person, other than the State Treasurer or his duly authorized agent, who shall print or engrave, or directly aid in or cause the printing or engraving, of any stamp or stamps or purporting to evidence the payment of any tax levied by this act, or who shall use or consent to the use of any counterfeit or unauthorized stamps in connection with the sale or offering for sale of any cigarettes, or shall place or cause to be placed on any package or parcel containing or to contain such cigarettes, any such unauthorized or counterfeit stamps, shall, upon conviction, be punished by imprisonment in the penitentiary for not less than two nor more than twenty years.

Sec. 16. The provisions of this act are severable and, if any phrase, clause or other provision hereof shall be held void, the decision of the court shall not affect or impair any of the remaining provisions, and should it be held that the tax herein imposed cannot be legally imposed upon any class or group of persons herein specified, then this act shall remain in force and effect regardless of the inability of the State to tax such persons.

Sec. 17. The fact that all of the natural gas resources of Texas are now being rapidly dissipated and depleted, and may soon be exhausted, that the State is in dire need of revenue, and the rapid approach of the end of this session of the Legislature, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and that same is hereby suspended, and that this act

take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

BERKELEY,
SMALL,
WOODWARD,
WOODUL,
MOORE.

On the part of the Senate;

SANDERS,
McDOUGALD,
HOLDER,
READER,

On the part of the House.

Reasons for Vote.

Request having been made and permission obtained, I file this as my reasons why I cannot subscribe to the free conference committee report on House bill No. 547. The bill as passed by the House originally called for the levying of an occupation tax upon the producers of natural gas. In the consideration of the bill in the Senate it was so amended as to levy a sales tax upon cigarettes, the affixation and cancellation of a stamp on each package of cigarettes so sold in this State. The majority of the conference committee has seen proper to report to the two houses an agreed bill, which is, with only one or two minor changes, the bill as passed by the Senate.

Aside from the advisability of the House acquiescing in such a far-reaching procedure by the Senate in thus amending bills, inadvertently endorsing such innovation on the rights of the House, and aside from the question of constitutionality of such procedure, I think there are pertinent reasons why the conference report should not include the cigarette tax as therein provided. Personally, I am inclined to the belief that the producers of natural gas should be required to pay the same production tax now required of producers of oil, and would readily agree to such a bill. But I am unable to give my consent to the levying of a sales tax upon cigarettes.

The smokers of cigarettes already pay in taxation almost one-half of the cost of his products to him in the form of the stamp tax now levied by the Federal government. According to the report of the Internal Revenue Department during the last fiscal year the Federal government collected from cigarette smokers of the United States the sum of \$360,000,000. Basing this upon a population

apportionment, Texas smokers contributed about \$18,000,000 of this amount. This is a stupendous sum to be collected from the people of this State, who smoke cigarettes, and any additional levy upon them is, I think, utter presumption on the part of the State.

This bill will levy, under the rate herein contained and based upon the proportion of the population of the United States in Texas, an additional sum of \$9,000,000 per year. This, of course, is true only in case the tax operates within a reasonable degree of efficiency.

A stamp tax at least is a nuisance tax, and heretofore has been resorted to only in case of dire necessity by the government, the people being willing to accept the same because of the stringency of the occasion. Such a tax is contrary to the thought and feeling of the people and, because of their constant coming in touch with such, a distaste is engendered in them against their government, which, in the end, not only means the breaking down of the respect for, and the possibility of enforcing, such a law, but also causes them to regard their government as a usurper of their individual privileges, as well as taking undue advantage of them. Such a tax as this means in the end a reaction against the legitimate dealer in the product so levied upon. With the advent of good roads and fast transportation, it is possible for a person to travel readily from one section of the United States to the other, concealing contraband cigarettes and peddling them out to the fly-by-night dealer who, to a great extent, has no regard for the law and thus is able to sell his product secretly to the public at a cheaper price than is done through legitimate channels. If not this means of evading a law, another is open to them. In this regard the mail order business is of no small consequence. What is to prohibit a person with an established business across the line in another State booking standing orders from cigarette smokers in this State, shipping them a small supply at definitely stated times to the end that the smoker will be able to have a constant and fresh supply of cigarettes for his own use and upon which no tax could possibly be levied? This, I think, together with the above possibility, will mean the curtailing of the amount of tax collected and

to the detriment of the retail business. I hazard a prediction less than one-half of what should be paid will be collected under such a plan.

This kind of a tax falls far short of being just or equitable. Among the fundamentals of a just tax, we find the test to be, is the tax levied one that comports with the payers' ability to pay, or is it levied against one who derives a substantial benefit from the tax authority? In no wise does this levy meet with this fundamental requirement. It means that the man in the ordinary walks of life, who, simply because he chooses to smoke cigarettes, will have levied against him an additional sum, and who is already overburdened by the many levies of direct and indirect taxation. It means that an additional sum will be contributed to the government by those who have no particular qualification for paying a tax. It means a violation of justness and fairness in taxation. Further, it means that we postpone a few more years a just and equitable scheme of taxation in this State. Thus, no resort will be made to any other source of taxation until the possible amount brought in under this plan has been consumed in additional expenditures. When the time comes that the funds are inadequate which are obtained from the present sources plus that brought in by the cigarette tax, and not until then, will a hue and cry go out for a readjustment of the tax burden.

The cigarette tax has been resorted to by many States on the basis that it was a luxury and those resorting to such making a substantial contribution to the government because of their participation in such luxury. Nevertheless, if that be true, why let all of those many other forms of recreation, or luxury which people enjoy, escape, and place an almost prohibitive tax upon the smoking of cigarettes? Why tax the cigarette smoker and let the cigar user escape? Why not include golf, radios, pianos, etc.?

This tax will be almost impossible of enforcement. The ad valorem tax with all of its imperfections and impossibilities of enforcement under our present laws in contrast with the cigarette tax, becomes a very, very favorable means of raising money. A corps of inspectors will be necessary to even impress the unstable dealer of such a law, much less properly en-

force it. Their salary and traveling expenses will consume a great part of that collected. The net amount accruing from the tax will be much less than that predicted by the oversanguine proponents of the measure. In fact, the inability to enforce it, the unwholesome effect it will have on the legitimate dealer, as well as on the public mind in general, will, within a few years at most, compel the repeal of this unjust and inequitable tax.

YOUNG.

Mr. Sanders moved that the report be adopted.

Mr. Vaughan moved the previous question on the motion by Mr. Sanders, and the main question was ordered.

The House then adopted the conference committee report on House bill No. 547 by the following vote:

Yeas—72.

Adams of Harris.	Jones of Atascosa.
Adams of Jasper.	Lemens.
Adkins.	Leonard.
Alsup.	Lilley.
Baker.	McDougald.
Barron.	Magee.
Bedford.	Mathis.
Boyd.	Metcalf.
Burns of Walker.	Moore.
Burns	Murphy.
of McCulloch.	Nicholson.
Caven.	Olsen.
Claunch.	Petsch.
Cunningham.	Reader.
Dale.	Rountree.
Dodd.	Sanders.
Donnell.	Satterwhite.
Dowell.	Shelton.
Dunlap.	Smith of Bastrop.
Farmer.	Smith of Wood.
Farrar.	Sparkman.
Fisher.	Steward.
Forbes.	Sullivant.
Ford.	Tarwater.
Gilbert.	Terrell
Giles.	of Cherokee.
Graves.	Terrell
Grogan.	of Val Verde.
Hanson.	Towery.
Harman.	Turner.
Hatchitt.	Van Zandt.
Hill.	Vaughan.
Holder.	Veatch.
Howsley.	Warwick.
Hubbard.	West of Coryell.
Johnson	West of Cameron.
of Dimmit.	Wiggs.
Johnson of Morris.	Wyatt.

Nays—56.

Adamson.	Holland.
Akin.	Holloway.
Albritton.	Hoskins.
Beck.	Hughes.
Bond.	Jackson.
Bounds.	Jones of Shelby.
Bradley.	Keller.
Brice.	Kennedy.
Bryant.	Lockhart.
Carpenter.	Long.
Coltrin.	McCombs.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Daniel.	Mehl.
Davis.	Munson.
DeWolfe.	O'Quinn.
Duvall.	Patterson.
Dwyer.	Ratliff.
Elliott.	Ray.
Engelhard.	Richardson.
Ferguson.	Rogers.
Greathouse.	Savage.
Hardy.	Stephens.
Harrison	Stevenson.
of El Paso.	Wagstaff.
Harrison	Walker.
of Waller.	Weinert.
Herzik.	Westbrook.
Hines.	Young.

Present—Not Voting.

Goodman.	Scott.
Johnson	
of Dallam.	

Absent.

Cox of Limestone.	Lasseter.
Finn.	Martin.
Fuchs.	Moffett.
Hefley.	Pope.
Laird.	Strong.

Absent—Excused.

Anderson.	Lee.
Brooks.	Morse.
Justiss.	Ramsey.
Kayton.	Sherrill.

Paired.

Mr. Johnson of Dallam (present), who would vote "yea," with Mr. Lasseter (absent), who would vote "nay."

Mr. Sanders moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Reasons for Vote.

I voted against the adoption of the free conference committee report on House bill No. 547. The bill as passed by the House provided for a 2½ per

cent gross receipts tax on the producers of natural gas. The Senate reduced this to 2 per cent. I think this tax should be at least 2½ per cent, as passed by the House, and personally, I am in favor of a 3 per cent or even a 4 per cent tax. The Senate amended the bill so as to provide for a cigarette tax. I am unalterably opposed to such a tax. It cannot be justified as a tax on luxuries, because the conference report places a tax solely on cigarettes and not on cigars and smoking tobacco. Certainly, if cigarettes are a luxury, it cannot be gainsaid that cigars and smoking tobacco are also luxuries and should have been included in the tax.

It cannot be justified as a sales tax, because there is no more reason for placing a sales tax on cigarettes than on any and all commodities. The tax must be borne by the smoker and cannot be collected from the manufacturer or dealer in cigarettes under the conference report. I feel discriminatory taxes of this nature cannot help but put off the day when Texas will be compelled to pass a sane tax either on natural resources or on income which will provide sufficient funds, not only for the public schools, but for all functions of the government.

I am advised that the proponents of this cigarette tax admit that its passage will negative the possibility of the passage of any other tax measures during this session of the Legislature. For the Legislature to accede to a discriminatory tax against persons who are not represented here by any lobby in order to forego the passage of taxes against natural resources and income which are violently opposed here by well-organized lobbies, it seems to me is clearly in violation of the people's rights of representation and reprehensible in the highest degree.

McGILL.

Reasons for voting for the cigarette tax: The nuisance feature has been entirely eliminated in so far as the retailers of cigarettes are concerned. One-half of the income will supplement the Available School Fund, to the end that the per capita apportionment can probably be restored to \$17.50. The remaining one-half will supplement the badly depleted General Revenue Fund.

GILBERT.

I vote "no" for the reason I doubt the constitutionality of the cigarette tax in its present form, and for the further reason that I think the tax of 3 cents is unjust and is discriminatory in its nature.

RATLIFF.

I vote "no" because the bill was passed without an opportunity for the House to consider it in a constitutional manner and amend it, as it was presented only in the form of conference report.

I consider that the House has abjectly surrendered its prerogative to initiate revenue measures.

I was not even permitted to speak against it, being cut off by the previous question.

ENGELHARD.

I believe that if it were necessary to raise any money by additional taxes there would be no better or more adequate place to place that tax than upon the users of luxuries, and certainly tobacco could come under no other classification. However, I vote "no" against adoption of the free conference report placing a tax of 3c on each package of cigarettes, because: First, I do not think the State needs to levy any additional taxes, but believe a more economical policy should be followed in the expenditures by the departments, and that the present income from taxation is sufficient to operate the State on an economical basis; second, because of the fact that I believe it unfair to place a tax upon smokers of cigarettes, while at the same time exempting smokers of cigars, and chewers of snuff and chewers of tobacco; third, because I believe the placing of such a tax on cigarettes is such a discrimination as will work an injury upon the legitimate stores who handle cigarettes and pay the tax to the benefit of out-of-State shippers and the fly-by-night operators who are not responsible either financially or morally; and fourth, because, when I became a member of this body I took an oath to support the Constitution of the State of Texas, and I am firmly convinced, regardless of the opinions of the Attorney General of this State, that the placing of a cigarette tax rider on a House bill, by the Senate, is unconstitutional, first, for the reason that the Senate has no authority to initiate revenue-raising matters, and second, because the tax bill sent them by the House was a tax placed upon the natural re-

sources of the State of Texas and was a privileged tax, whereas the amendment attached by the Senate was a discriminatory tax on a pleasure.

HARDY.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 844, "An Act to create a State commission for the blind to prepare and maintain a register of those blind persons living in the State of Texas, in which is shown their condition, cause of blindness and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind, etc., and declaring an emergency."

H. B. No. 956, "An Act relating to the performance of road duty in Wood county, Texas, and declaring an emergency."

H. B. No. 656, "An Act to repeal an Act of the Thirty-third Legislature, First Called Session, 1913, being Senate bill No. 22, creating a road system for Hall county."

S. C. R. No. 32, Recalling Senate bill No. 102 from the Governor.

HOUSE BILL NO. 251 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 251, A bill to be entitled "An Act to amend Article 7047, Revised Civil Statutes of the State of Texas, 1925, providing for the levy of occupation taxes on, and the collection from, persons, firms, associations and companies pursuing the several occupations enumerated herein; repealing all laws and parts of laws in conflict herewith; providing that if any subdivisions or part of this act may be declared invalid for any reason it shall not affect any other section, subdivision or part of this act, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. Holder, amendment by Mr. Davis to the committee amendment and substitute amendment by Mr. Metcalfe for the amendment by Mr. Davis, pending.

(Mr. McGill in the chair.)

Mr. Duvall moved to table the substitute amendment by Mr. Metcalfe. Question recurring on the motion

to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—53.

Adams of Harris.	Jackson.
Adams of Jasper.	Lemens.
Akin.	Leonard.
Albritton.	Lilley.
Alsup.	Long.
Barron.	McDougald.
Beck.	McGregor.
Carpenter.	Magee.
Caven.	Mathis.
Coombes.	Moore.
Cox of Lamar.	Munson.
Daniel.	Nicholson.
Davis.	O'Quinn.
Dodd.	Patterson.
Duvall.	Petsch.
Dwyer.	Reader.
Giles.	Rountree.
Greathouse.	Sanders.
Harrison	Savage.
of El Paso.	Scott.
Harrison	Sparkman.
of Waller.	Strong.
Hatchitt.	Wagstaff.
Hill.	Weinert.
Holland.	West of Cameron.
Holloway.	Wiggs.
Howsley.	Young.
Hubbard.	

Nays—65.

Adamson.	Harman.
Adkins.	Hines.
Baker.	Hoskins.
Bounds.	Hughes.
Boyd.	Johnson of Morris.
Brice.	Jones of Shelby.
Bryant.	Jones of Atascosa.
Burns of Walker.	Keller.
Burns	Kennedy.
of McCulloch.	Lockhart.
Claunch.	McCombs.
Coltrin.	Mehl.
Cunningham.	Metcalfe.
Dale.	Murphy.
DeWolfe.	Ratliff.
Donnell.	Ray.
Dowell.	Richardson.
Elliott.	Rogers.
Farmer.	Satterwhite.
Farrar.	Shelton.
Ferguson.	Smith of Bastrop.
Fisher.	Smith of Wood.
Forbes.	Stevenson.
Ford.	Terrell
Fuchs.	of Cherokee.
Gilbert.	Terrell
Goodman.	of Val Verde.
Graves.	Towery.
Grogan.	Turner.
Hanson.	Van Zandt.
Hardy.	Vaughan.

Veatch.	West of Coryell.
Walker.	Westbrook.
Warwick.	Wyatt.

Absent.

Bedford.	Johnson
Bond.	of Dimmit.
Bradley.	Laird.
Cox of Limestone.	Lasseter.
Dunlap.	Martin.
Engelhard.	Moffett.
Finn.	Olsen.
Hefley.	Pope.
Herzik.	Stephens.
Holder.	Steward.
Johnson	Sullivan.
of Dallam.	Tarwater.

Absent—Excused.

Anderson.	Lee.
Brooks.	Morse.
Justiss.	Ramsey.
Kayton.	Sherrill.

Question then recurring on the substitute amendment by Mr. Metcalfe, it was adopted.

Mr. DeWolfe moved to reconsider the vote by which the substitute amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the chair.)

The amendment as substituted was then adopted.

Mr. DeWolfe moved to reconsider the vote by which the amendment as substituted was adopted, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 522, A bill to be entitled "An Act to amend Article 1605, Revised Civil Statutes of 1925, and declaring an emergency."

S. B. No. 601, A bill to be entitled "An Act to amend Article 546 of Chapter 1, Title 11, 1925 Penal Code of the State of Texas, and declaring an emergency."

S. B. No. 592, A bill to be entitled "An Act to amend Section 2, Chapter 22, Acts of the Second Called Session of the Forty-first Legislature, as amended by Chapter 24, Acts of the Fifth Called Session of the Forty-first Legislature, and declaring an emergency."

The Senate has read and adopted

Simple resolution requesting the return of Senate bill No. 371 for record vote to be had on same.

The Senate has passed

H. B. No. 625, A bill to be entitled "An Act defining trappers, requiring a license and declaring an emergency," with amendments.

H. B. No. 311, A bill to be entitled "An Act to validate assessment ordinances and to validate the lien attempted to be created thereby in cities in the State of Texas having a population of more than one hundred thousand (100,000), according to the last preceding United States census, where State, county and Federal governments have contributed to the cost of improvements, and validating all actions, ordinances and proceedings taken; repealing all laws or parts of laws in conflict herewith, and providing that if a portion of this act shall be declared unconstitutional the remainder shall not be affected thereby, and declaring an emergency."

H. B. No. 980, A bill to be entitled "An Act creating Liberty County Conservation and Reclamation District No. 3, under authority of Section 59, Article 16, of the Constitution, granting to said district the powers conferred by General Laws; providing that no election and no action by the commissioners court shall be necessary to authorize the creation of this district; providing for appointment of commissioners for said district; providing that all general laws concerning drainage and conservation and reclamation districts are applicable to said district, and declaring an emergency."

S. B. No. 270, A bill to be entitled "An Act to amend Article 2696, Revised Statutes, 1925, relating to transfers of children of scholastic age, determining the length of time said transfers shall be entitled to attend free school in the receiving district; repealing all laws in conflict herewith, and declaring an emergency."

S. B. N. 452, A bill to be entitled "An Act repealing Article 194 of the Revised Civil Statutes of 1925, and providing that all election returns, in cases of election of State Senators, shall be made to the Secretary of State, and the Secretary of State shall receive the returns and count the vote and issue certificates of election to persons receiving the highest number of votes for Senator at any election in their respective districts."

S. B. No. 379, A bill to be entitled "An Act creating the Texas State Nautical School, for the purpose of giving instruction in the practice of navigation, seamanship, wireless telegraphy, steam and electrical engineering; creating a board of governors to manage said school; providing for the adoption of rules and regulations by said board; making an appropriation for the purpose of establishing and maintaining the same, and declaring an emergency."

S. B. No. 208, A bill to be entitled "An Act to amend Article 4907, Revised Statutes of 1925, by striking out the words 'Chapter 18 of this title' following the words 'contemplated and provided for by' and inserting in lieu thereof the words 'Title 130, known as the Workmen's Compensation Law,' and adding thereto the provision that the said commission shall make, establish and promulgate all classifications of hazards and rates of premium applicable to contemplated and provided for by the 'Longshoremen's and Harbor Workers' Compensation Act,' as enacted by the Congress of the United States, and declaring an emergency."

S. B. No. 207, A bill to be entitled "An Act to amend Section 7 of Article 8308, Revised Statutes of 1925, by adding thereto the provision that any employer of labor in this State who may be subject to the terms of the Workmen's Compensation Law or to the terms of the 'Longshoremen's and Harbor Workers' Compensation Act' of the United States may become a subscriber to the association; and to amend Section 21 of Article 8308, Revised Statutes of 1925, as amended by Acts of 1927, Fortieth Legislature, page 359, Chapter 241, by inserting after the words 'or by any judgment of a court' the words 'or equity or,' so that said section shall provide that the association shall also pay to the subscriber who has complied with its rules the full amount of any judgment of a court of equity which the subscriber has had to pay any employe for personal injuries sustained in the course of his employment, and declaring an emergency."

The Senate has adopted the free conference committee report on House bill No. 547 by viva voce vote.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 371 ON FINAL PASSAGE.

Mr. Young moved to reconsider the vote by which Senate bill No. 371 was passed.

The motion to reconsider prevailed.

Senate bill No. 371 was then passed by the following vote:

Yeas—113.

Adams of Harris.	Holland.
Adams of Jasper.	Holloway.
Adamson.	Hoskins.
Adkins.	Howsley.
Akin.	Hubbard.
Albritton.	Hughes.
Alsup.	Jackson.
Baker.	Johnson of Morris.
Barron.	Jones of Shelby.
Bounds.	Jones of Atascosa.
Boyd.	Keller.
Brice.	Kennedy.
Bryant.	Laird.
Burns of Walker.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	McDougald.
Caven.	Magee.
Claunch.	Mathis.
Coltrin.	Mehl.
Coombes.	Metcalfe.
Cox of Lamar.	Moffett.
Cunningham.	Moore.
Dale.	Munson.
Davis.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dowell.	Patterson.
Dunlap.	Petsch.
Duvall.	Ratliff.
Dwyer.	Ray.
Elliott.	Reader.
Farmer.	Richardson.
Farrar.	Rogers.
Ferguson.	Rountree.
Fisher.	Satterwhite.
Forbes.	Savage.
Ford.	Scott.
Fuchs.	Shelton.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Grogan.	Strong.
Hanson.	Tarwater.
Hardy.	Terrell
Harman.	of Cherokee.
Harrison	Towery.
of El Paso.	Turner.
Harrison	Van Zandt.
of Waller.	Vaughan.
Herzik.	Wagstaff.
Hill.	Walker.
Hines.	Warwick.

Weinert. Wiggs.
West of Coryell. Wyatt.
West of Cameron. Young.
Westbrook.

Nays—2.

Beck. McCombs.

Absent.

Bedford.	Lasseter.
Bond.	Lemens.
Bradley.	Long.
Cox of Limestone.	McGill.
Daniel.	McGregor.
DeWolfe.	Martin.
Engelhard.	Nicholson.
Finn.	Pope.
Hatchitt.	Sanders.
Hefley.	Steward.
Holder.	Sullivant.
Johnson	Terrell
of Dallam.	of Val Verde.
Johnson	Veatch.
of Dimmit.	

Absent—Excused.

Anderson.	Lee.
Brooks.	Morse.
Justiss.	Ramsey.
Kayton.	Sherrill.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today (by unanimous consent), were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Petsch:

H. B. No. 1033, A bill to be entitled "An Act amending Article 1107, Revised Statutes of Texas, 1925, by adding thereto a new paragraph so as to authorize incorporated cities or towns to exercise the right of eminent domain to condemn private property for airport purposes, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Sanders:

H. B. No. 1034, A bill to be entitled "An Act authorizing the State Comptroller of Public Accounts and the State Treasurer to cancel off their books outstanding and unpaid warrants issued prior to September 1, 1927, and directing the method of payment of same, and declaring an emergency."

Referred to Committee on Appropriations.

RECESS.

On motion of Mr. Hardy, the House at 12 o'clock noon, took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 251 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 251, relative to placing tax on commodities sold by peddlers, the bill having heretofore been read second time, with committee amendment by Mr. Holder, pending.

Mrs. Hughes moved to table the bill.

Question recurring on the motion to table the bill, yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—48.

Adkins.	Hughes.
Baker.	Johnson of Morris.
Beck.	Keller.
Bond.	Lockhart.
Bounds.	McCombs.
Boyd.	McGregor.
Bryant.	Mehl.
Burns	Metcalfe.
of McCulloch.	Olsen.
Claunch.	Ratliff.
Dale.	Ray.
DeWolfe.	Reader.
Elliott.	Rogers.
Farmer.	Shelton.
Farrar.	Smith of Wood.
Fisher.	Stevenson.
Gilbert.	Tarwater.
Goodman.	Terrell
Greathouse.	of Cherokee.
Hardy.	Terrell
Harman.	of Val Verde.
Harrison	Towery.
of Waller.	Vaughan.
Hines.	Veatch.
Holland.	Warwick.
Holloway.	Westbrook.

Nays—70.

Adams of Harris.	Bradley.
Adams of Jasper.	Burns of Walker.
Adamson.	Carpenter.
Akin.	Caven.
Albritton.	Coltrin.
Alsup.	Coombes.
Barron.	Cox of Lamar.
Bedford.	Daniel.

Dodd.	McGill.
Donnell.	Magee.
Dowell.	Mathis.
Dunlap.	Moore.
Duvall.	Munson.
Dwyer.	O'Quinn.
Ferguson.	Patterson.
Forbes.	Petsch.
Ford.	Richardson.
Giles.	Rountree.
Graves.	Sanders.
Hanson.	Satterwhite.
Harrison	Savage.
of El Paso.	Scott.
Hatchitt.	Smith of Bastrop.
Herzik.	Sparkman.
Hill.	Stephens.
Holder.	Steward.
Howsley.	Strong.
Hubbard.	Sullivant.
Jackson.	Turner.
Johnson	Wagstaff.
of Dallam.	Walker.
Johnson	Weinert.
of Dimmit.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Kennedy.	Wiggs.
Leonard.	Wyatt.
McDougald.	

Present—Not Voting.

Moffett.

Absent.

Brice.	Laird.
Cox of Limestone.	Lasseter.
Cunningham.	Lemens.
Davis.	Lilley.
Engelhard.	Long.
Finn.	Martin.
Fuchs.	Murphy.
Grogan.	Nicholson.
Hefley.	Pope.
Hoskins.	Van Zandt.
Jones of Shelby.	Young.

Absent—Excused.

Anderson.	Lee.
Brooks.	Morse.
Justiss.	Ramsey.
Kayton.	Sherrill.

Mr. McCombs offered the following amendment to the amendment:

Amend committee substitute to House bill No. 251, page 3, line 23, by adding at the end of said line the following: "and provided further, that this act, and the term 'peddler,' as herein used, shall not apply to bona fide salaried, sales representatives of manufacturers distributing their own products to retailers, wholesalers, and wholesale purchasers."

Mr. Holder raised a point of order on further consideration of the

amendment on the ground that it nullifies an amendment heretofore adopted by the House.

The Speaker overruled the point of order.

On motion of Mr. Holder, the amendment by Mr. McCombs was tabled.

Mr. Beck offered the following amendment to the amendment:

Amend (committee) amendment to House bill No. 251, page 5, by striking out all of subsection 13 after the word "same" in line 19.

On motion of Mr. Coombes, the amendment was tabled.

Mr. West of Cameron offered the following amendment to the amendment:

Amend House bill No. 251 by adding after Section 3 the following:

"Subsection 3. If any person licensed under this act shall purchase from any farmer or other producer of any of the commodities or other country produce described in subdivision 4, of Section 1, hereof, and give in payment thereof a check or draft or other written order intended to be in payment of any such commodities, which said check, draft or other written order intended to be in payment of any of such commodities, is not promptly paid on presentation thereof in due course, the giver thereof shall forfeit the license as provided for herein and shall not be entitled to receive another license for one year after the giving of such check, draft or other written order intended to be in payment of such commodities."

WEST of Cameron,
LEONARD,
METCALFE,
GRAVES.

The amendment was adopted.

Mr. Pope offered the following amendment to the amendment:

Amend amendment to House bill No. 251 by adding a new section to be numbered 33a, after Section 33, to read as follows:

"Sec. 33a. From every person, firm, association or corporation engaged in the occupation of collecting any charge, license fee, fare, rate or royalty on any record, composition, sheet music, musical composition, production or publication, or performing any composition by or through any radio distribution or reception, where such radio distribution or reception is charged for on a basis of distribution or reception within this State, or where a copy of such record, compo-

sition, production or publication has been sold at retail to any person from whom such a charge, license fee, fare, rate or royalty is collected within this State, a sum equivalent to twenty-five per cent of the amount of the charge, license fee, fare, or rate or royalty so collected, and counties and incorporated cities or towns in which such payor resides shall have the power to levy a tax of one-half the amount herein provided in addition to the above tax."

Mr. Satterwhite moved the previous question on the pending amendment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question then recurring on the amendment by Mr. Pope, it was adopted.

Mr. Albritton offered the following amendment to the amendment:

Amend Section 26, page 9, line 16, by adding after the word "exhibited," "This shall not apply to rodeos owned by private individuals and used only for training purposes, or in connection with agriculture fairs and exhibitions."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend committee substitute to House bill No. 251, page 4, line 30, by striking out "twenty-five dollars (\$25)," and insert in lieu thereof "fifty dollars (\$50)."

The amendment was adopted.

Mr. Young offered the following amendments to the amendment:

(1)

Amend committee substitute to House bill No. 251, page 5, line 13, by striking out "one hundred dollars (\$100)," and insert in lieu thereof "one hundred fifty dollars (\$150)."

(2)

Amend committee substitute for House bill No. 251, page 5, line 29, by striking out "fifty dollars (\$50)" and insert in lieu thereof "one hundred fifty dollars (\$150)."

(3)

Amend committee substitute to House bill No. 251, page 6, line 9, by adding after the word "associations" and before the word "where," "or merchants credit reporting bureaus."

The amendments were severally adopted.

Mr. DeWolfe offered the following amendment to the amendment:

Amend committee substitute for House bill No. 251, page 3, line 19, by striking out after the word "to" in said line the words "other persons," and striking out "or dealers" in line 20 of said page and insert in lieu thereof the following, after the word "to," page 3, line 19: "the consumer and not to the retailer or any other dealer for the purpose of resale."

Mr. Davis raised a point of order on further consideration of the amendment on the ground that it seeks to insert matter heretofore defeated by the House.

The Speaker overruled the point of order.

On motion of Mr. Holder, the amendment by Mr. DeWolfe was tabled.

Mr. Farmer offered the following amendment to the amendment:

Amend House bill No. 251 by adding thereto, by inserting after line 14 on page 6, a new section, to be numbered 16a and to read as follows:

"16a. Wholesale Natural Gas Companies. — From every person, firm, partnership, association or corporation in this State transporting and selling at wholesale natural gas, there shall be collected for the State of Texas an occupation tax equal to 2c per 1000 cubic feet of natural gas so transported from the wells of origin within this State; such tax shall be due and payable at the office of the Comptroller at Austin on the 25th day of each month, based on such amount of natural gas transported by pipe lines during the calendar month next preceding. Every person, firm, partnership, association or corporation so transporting natural gas and selling at wholesale shall, on or before the 25th day of each month, make and deliver to the Comptroller of the State a report, sworn to as being correct by such person before an officer authorized to administer oaths in this State (or, if other than an individual, so sworn to by its president, secretary, treasurer or other duly authorized officer or its representative in charge of transporting natural gas within this State and selling at wholesale), said report being made out on such forms as said Comptroller shall prescribe, showing the total amount of cubic feet of natural gas transported in pipe lines in this State during the next preceding calendar month, and the Comptroller

shall take all lawful means to collect this occupation tax promptly."

(Mr. Sanders in the chair.)

Mr. Hardy moved to table the amendment by Mr. Farmer.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—42.

Adams of Harris.	Mathis.
Adams of Jasper.	Moffett.
Adamson.	Moore.
Adkins.	Munson.
Albritton.	Murphy.
Bradley.	Nicholson.
Claunch.	Patterson.
Dwyer.	Petsch.
Ford.	Ratliff.
Grogan.	Rountree.
Hardy.	Satterwhite.
Harrison	Savage.
of El Paso.	Steward.
Harrison	Strong.
of Waller.	Towery.
Hatchitt.	Turner.
Hill.	Wagstaff.
Holder.	Walker.
Hubbard.	Warwick.
Lemens.	Weinert.
Lilley.	Wiggs.
McDougald.	Young.

Nays—64.

Akin.	Hines.
Alsup.	Holland.
Baker.	Hoskins.
Beck.	Hughes.
Bounds.	Jackson.
Boyd.	Johnson
Brice.	of Dimmit.
Bryant.	Johnson of Morris.
Burns of Walker.	Jones of Shelby.
Burns	Jones of Atascosa.
of McCulloch.	Keller.
Carpenter.	Kennedy.
Coltrin.	Laird.
Coombes.	Lee.
Cox of Lamar.	Lockhart.
Dale.	Long.
Davis.	McCombs.
Dodd.	McGill.
Dowell.	Mehl.
Duvall.	Olsen.
Elliott.	O'Quinn.
Farmer.	Pope.
Ferguson.	Ray.
Fisher.	Reader.
Forbes.	Richardson.
Goodman.	Rogers.
Graves.	Scott.
Greathouse.	Shelton.
Hanson.	Smith of Bastrop.
Herzik.	Smith of Wood.

Sparkman.	Vaughan.
Stephens.	Veatch.
Terrell	West of Cameron.
of Cherokee.	

Present—Not Voting.

Cunningham.	Giles.
Farrar.	Tarwater.

Absent.

Barron.	Johnson
Bedford.	of Dallam.
Bond.	Lasseter.
Caven.	Leonard.
Cox of Limestone.	McGregor.
Daniel.	Magee.
DeWolfe.	Martin.
Donnell.	Metcalfe.
Dunlap.	Stevenson.
Engelhard.	Sullivant.
Finn.	Terrell
Fuchs.	of Val Verde.
Gilbert.	Van Zandt.
Harman.	West of Coryell.
Hefley.	Westbrook.
Holloway.	Wyatt.
Howsley.	

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

Question then recurring on the amendment by Mr. Farmer, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—73.

Alsup.	Gilbert.
Baker.	Giles.
Barron.	Goodman.
Beck.	Graves.
Bounds.	Greathouse.
Boyd.	Hanson.
Brice.	Harrison
Bryant.	of Waller.
Burns of Walker.	Herzik.
Carpenter.	Hines.
Coltrin.	Holland.
Coombes.	Hoskins.
Cox of Lamar.	Hughes.
Dale.	Jackson.
Davis.	Johnson of Morris.
Dodd.	Jones of Shelby.
Dowell.	Jones of Atascosa.
Duvall.	Keller.
Elliott.	Kennedy.
Farmer.	Laird.
Ferguson.	Lasseter.
Fisher.	Lee.
Forbes.	Lockhart.
Fuchs.	Long.

McCombs.	Smith of Bastrop.
McGill.	Smith of Wood.
Mehl.	Sparkman.
Olsen.	Stephens.
O'Quinn.	Terrell
Petsch.	of Cherokee.
Ray.	Towery.
Reader.	Vaughan.
Richardson.	Veatch.
Rogers.	Weinert.
Rountree.	West of Coryell.
Scott.	West of Cameron.
Shelton.	Wiggs.

Nays—36.

Adams of Harris.	Lilley.
Adams of Jasper.	McDougald.
Adamson.	Mathis.
Adkins.	Moore.
Albritton.	Munson.
Bradley.	Murphy.
Burns	Nicholson.
of McCulloch.	Patterson.
Claunch.	Pope.
Dwyer.	Ratliff.
Ford.	Satterwhite.
Grogan.	Savage.
Hardy.	Steward.
Harrison	Tarwater.
of El Paso.	Turner.
Hill.	Wagstaff.
Holder.	Walker.
Hubbard.	Warwick.
Johnson	Young.
of Dimmit.	

Present—Not Voting.

Akin.	Moffett.
Cunningham.	

Absent.

Bedford.	Johnson
Bond.	of Dallam.
Caven.	Lemens.
Cox of Limestone.	Leonard.
Daniel.	McGregor.
DeWolfe.	Magee.
Donnell.	Martin.
Dunlap.	Metcalfe.
Engelhard.	Stevenson.
Farrar.	Strong.
Finn.	Sullivant.
Harman.	Terrell
Hatchitt.	of Val Verde.
Hefley.	Van Zandt.
Holloway.	Westbrook.
Howsley.	Wyatt.

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

Mr. Farmer moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Reader offered the following amendment to the (committee) amendment:

Amend House bill No. 251, Section 1, by striking out subsection 35.

READER,
HOLDER.

(Speaker in the chair.)

Mr. McCombs moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment by Mr. Reader, it was adopted.

Mr. Duvall offered the following amendment to the (committee) amendment:

Amend committee substitute to House bill No. 251 by inserting after Section 14, page 5, of said bill, the following said sections, to be known as 14a, 14b, 14c and 14d, to read as follows:

"Sec. 14d. Ice Dealers.—From each person or corporation who are wholesale dealers, selling imported or home-made ice to the trade to be sold again, in cities and towns of 20,000 inhabitants or more, fifty dollars (\$50); in cities and towns of less than 20,000 or more than 10,000, thirty dollars (\$30); in cities and towns of less than 10,000 and more than 5,000 inhabitants, twenty dollars (\$20); in cities and towns of less than 5,000 inhabitants, ten dollars (\$10)."

DUVALL,
YOUNG.

Mr. Lockhart moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Duvall, it was adopted.

The committee amendment as amended was then adopted by the following vote:

Yeas—101.

Adams of Jasper.	Barron.
Adamson.	Beck.
Adkins.	Bedford.
Akin.	Bond.
Albritton.	Brice.
Alsup.	Bryant.
Baker.	Burns of Walker.

Burns	Leonard.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Caven.	Long.
Claunch.	McDougald.
Coltrin.	McGill.
Coombes.	McGregor.
Cox of Lamar.	Magee.
Cunningham.	Mathis.
Dale.	Mehl.
Davis.	Metcalfe.
DeWolfe.	Moffett.
Dodd.	Munson.
Donnell.	Murphy.
Dowell.	Olsen.
Duvall.	O'Quinn.
Dwyer.	Petsch.
Farmer.	Ratliff.
Fisher.	Ray.
Forbes.	Reader.
Ford.	Richardson.
Fuchs.	Rogers.
Gilbert.	Rountree.
Giles.	Sanders.
Goodman.	Satterwhite.
Graves.	Savage.
Hanson.	Scott.
Harman.	Smith of Bastrop.
Harrison	Sparkman.
of El Paso.	Stephens.
Hatchitt.	Steward.
Herzik.	Strong.
Hill.	Sullivant.
Hines.	Towery.
Holder.	Turner.
Hoskins.	Vaughan.
Hubbard.	Veatch.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	Weinert.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Kennedy.	Wiggs.
Lee.	Young.
Lemens.	

Nays—17.

Bounds.	Moore.
Boyd.	Nicholson.
Farrar.	Pope.
Greathouse.	Shelton.
Hardy.	Smith of Wood.
Hughes.	Stevenson.
Keller.	Tarwater.
Laird.	Terrell
McCombs.	of Cherokee.

Absent.

Adams of Harris.	Finn.
Bradley.	Grogan.
Cox of Limestone.	Harrison
Daniel.	of Waller.
Dunlap.	Hefley.
Elliott.	Holland.
Engelhard.	Holloway.
Ferguson.	Howsley.

Jackson.	Terrell
Johnson	of Val Verde.
of Dallam.	Van Zandt.
Lasseter.	Wagstaff.
Martin.	Westbrook.
Patterson.	Wyatt.

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 251 was then passed to engrossment.

HOUSE BILL NO. 251 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 251 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Adams of Jasper.	Ford.
Adamson.	Fuchs.
Adkins.	Gilbert.
Albritton.	Giles.
Alsup.	Goodman.
Baker.	Graves.
Barron.	Hanson.
Bedford.	Harman.
Bond.	Harrison
Boyd.	of El Paso.
Brice.	Hatchitt.
Bryant.	Herzik.
Burns of Walker.	Hill.
Burns	Hines.
of McCulloch.	Holder.
Carpenter.	Hoskins.
Caven.	Hubbard.
Claunch.	Johnson
Coltrin.	of Dimmit.
Coombes.	Johnson of Morris.
Cox of Lamar.	Jones of Shelby.
Cunningham.	Jones of Atascosa.
Davis.	Lasseter.
DeWolfe.	Lee.
Dodd.	Lemens.
Donnell.	Leonard.
Dowell.	Lilley.
Dunlap.	Lockhart.
Duvall.	Long.
Dwyer.	McDougald.
Elliott.	McGill.
Farmer.	McGregor.
Fisher.	Magee.
Forbes.	Mathis.

Mehl.	Smith of Bastrop.
Metcalfe.	Sparkman.
Munson.	Stephens.
Murphy.	Steward.
Olsen.	Strong.
O'Quinn.	Sullivan.
Petsch.	Tarwater.
Ratliff.	Towery.
Ray.	Turner.
Reader.	Vaughan.
Richardson.	Veatch.
Rogers.	Walker.
Rountree.	Warwick.
Sanders.	Weinert.
Satterwhite.	West of Coryell.
Savage.	West of Cameron.
Scott.	Wiggs.
Shelton.	Young.

Nays—21.

Akin.	Laird.
Beck.	McCombs.
Bounds.	Moffett.
Dale.	Moore.
Engelhard.	Nicholson.
Farrar.	Pope.
Greathouse.	Smith of Wood.
Hardy.	Stevenson.
Hughes.	Terrell
Keller.	of Cherokee.
Kennedy.	Wagstaff.

Absent.

Adams of Harris.	Howsley.
Bradley.	Jackson.
Cox of Limestone.	Johnson
Daniel.	of Dallam.
Ferguson.	Martin.
Finn.	Patterson.
Grogan.	Terrell
Harrison	of Val Verde.
of Waller.	Van Zandt.
Hefley.	Westbrook.
Holland.	Wyatt.
Holloway.	

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

The Speaker then laid House bill No. 251 before the House on its third reading and final passage.

The bill was read third time.

Mr. Metcalfe offered the following amendment to the bill:

Amend House bill No. 251, as amended by committee amendment, page 3, line 25, by striking out the words and figures "twenty-five dollars (\$25)" and insert in lieu thereof the words and figures "fifty dollars (\$50)."

The amendment was adopted.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 251 by adding a new section after Section 34, to be numbered 34a, to read as follows:

"34a. There is hereby levied an occupation tax equal to 1/10 of one mill on every kilowatt-hour of electric power sold by any electric power or light company authorized to transact business in this State."

Mr. Hubbard moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Pope, it was lost.

House bill No. 251 was then passed by the following vote:

Yeas—90.

Adams of Harris.	Hubbard.
Adams of Jasper.	Johnson
Adamson.	of Dimmit.
Albritton.	Johnson of Morris.
Alsup.	Jones of Shelby.
Baker.	Jones of Atascosa.
Barron.	Lasseter.
Bond.	Lee.
Brice.	Lemens.
Bryant.	Leonard.
Burns of Walker.	Lilley.
Carpenter.	Lockhart.
Caven.	Long.
Coltrin.	McGill.
Coombes.	Magee.
Cox of Lamar.	Mathis.
Davis.	Mehl.
DeWolfe.	Metcalfe.
Dodd.	Munson.
Donnell.	Murphy.
Dunlap.	Olsen.
Duvall.	O'Quinn.
Dwyer.	Petsch.
Elliott.	Ray.
Farmer.	Reader.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Sanders.
Gilbert.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Graves.	Smith of Bastrop.
Hanson.	Sparkman.
Harman.	Stephens.
Harrison	Steward.
of El Paso.	Strong.
Hatchitt.	Sullivan.
Herzik.	Towery.
Hill.	Turner.
Hines.	Vaughan.
Holder.	Veatch.
Holland.	Warwick.
Hoskins.	Weinert.

West of Coryell. Wiggs.
West of Cameron. Young.

Nays—28.

Akin.	Laird.
Beck.	McCombs.
Bounds.	McDougald.
Boyd.	McGregor.
Bradley.	Moffett.
Burns	Moore.
of McCulloch.	Nicholson.
Claunch.	Pope.
Dale.	Ratliff.
Farrar.	Shelton.
Greathouse.	Smith of Wood.
Hardy.	Tarwater.
Hughes.	Terrell
Keller.	of Cherokee.
Kennedy.	Wagstaff.

Absent.

Adkins.	Holloway.
Bedford.	Howsley.
Cox of Limestone.	Jackson.
Cunningham.	Johnson
Daniel.	of Dallam.
Dowell.	Martin.
Engelhard.	Patterson.
Ferguson.	Terrell
Finn.	of Val Verde.
Grogan.	Van Zandt.
Harrison	Walker.
of Waller.	Westbrook.
Hefley.	Wyatt.

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

Paired.

Mr. Stevenson (present), who would vote "nay," with Mr. Howsley and Mr. Daniel (absent), who would vote "yea."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 83, A bill to be entitled "An Act amending Article 4690, Chapter 1, and Article 5061, Chapter 21, Title 78, Revised Civil Statutes of 1925, by adding thereto Articles 4690a and 5061a, respectively; providing that all fees collected for the examination of insurance companies shall be paid by the company or persons

examined in such a manner as the Commissioner of Insurance shall certify to be just and reasonable."

S. C. R. No. 34, Authorizing the Enrolling Clerk of the Senate to make correction of Senate bill No. 102.

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 185.

The Speaker announced the appointment of the following conference committee on House bill No. 185:

Messrs. Metcalfe, Murphy, Johnson of Dimmit, Mathis and Finn.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 280, A bill to be entitled "An Act conferring upon the Board of Regents of the University of Texas authority heretofore vesting in the board for lease of University lands under Sections 2 and 15 of Chapter 282 of the General and Special Laws of the Regular Session of the Forty-first Legislature, and also conferring on said Board of Regents certain authority in connection with employing help needed in connection with matters covered by said Chapter 282 and under this Act; making an appropriation of certain moneys to be used in the performance of duties under this act, and declaring an emergency."

S. B. No. 544, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the repurchase of public school land located in El Paso county, Texas, forfeited and re-appraised under Chapter 94, an act approved March 19, 1925, and as amended by Chapter 25, an act approved October 27, 1926, for which application on the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for the filing thereof, but for which application and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon, and declaring an emergency."

S. B. No. 416, A bill to be entitled "An Act amending Section 9 of Article 8306 of the Revised Civil Statutes of the State of Texas of 1925, relating to the payment of expenses incident to the last sickness of a deceased employe resulting from an injury and of funeral benefit when such employe leaves no legal beneficiaries; and providing for the payment of burial expenses when such deceased employe leaves legal beneficiaries."

S. B. No. 417, A bill to be entitled "An Act providing that an employe sustaining an injury within the terms and provisions of the Workmen's Compensation Act shall be entitled to a hearing before the Industrial Accident Board within a reasonable time, and that the Industrial Accident Board shall have the authority to delay the time of such hearing when the association is paying compensation according to law, and is furnishing hospitalization or medical treatment or such employe has not reached his maximum recovery; and providing that no appeal shall be taken from the action of the Board in so delaying such hearing."

S. B. No. 590, A bill to be entitled "An Act to amend Section 24, Chapter 17, Acts of the Thirty-third Legislature, as amended, on the Harris county road law, by providing that the commissioners court shall have the right to employ a competent engineer as county engineer, fixing the term of his office, his salary and duties, and by providing that such engineer shall have supervision over the expenditures of all road and bridge funds and that he shall prepare plans and specifications by which contracts are let or work performed; and repealing all laws in conflict herewith, providing effective date hereof."

S. B. No. 456, A bill to be entitled "An Act to amend Chapter 13, Title 71, Revised Civil Statutes of Texas, 1925, by adding thereto Article 4585a, to provide that the board, or their duly authorized agents, may, upon receiving such bodies, deliver to the State Board of Embalming such number of the same as may be necessary for the use of said State Board of Embalming in conducting its semi-annual examinations; and may further deliver to any school of embalming in this State that is recognized and certified by the State Board of Embalming such number of said bodies as the board may in its

judgment think necessary for use in instruction given in such schools, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 601, to the Committee on Criminal Jurisprudence.

Senate bill No. 592, to the Committee on Game and Fisheries.

Senate bill No. 590, to the Committee on Counties.

Senate bill No. 544, to the Committee on Public Lands and Buildings.

Senate bill No. 522, to the Committee on Counties.

Senate bill No. 456, to the Committee on Public Health.

Senate bill No. 453, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 417, to the Committee on Labor.

Senate bill No. 416, to the Committee on Labor.

Senate bill No. 379, to the Committee on Education.

Senate bill No. 280, to the Committee on Public Lands and Buildings.

Senate bill No. 207, to the Committee on Insurance.

Senate bill No. 83, to the Committee on Insurance.

Senate bill No. 208, to the Committee on Insurance.

Senate bill No. 270, to the Committee on Education.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 474.

Mr. Adkins submitted the following conference committee report on House bill No. 474:

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Edgar Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your free conference committee on House bill No. 474, have had same under consideration and recommend to the House and to the Senate the adoption of the attached bill:

A BILL
To Be Entitled

An Act to validate and confirm the title to homestead donations or pre-emption surveys to the original grantees, their heirs or their assigns, in all cases where use and occupancy for a period of twenty-five years prior to the passage of this act can be shown, and to require the issuance of patents, and to declare an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Pre-emption surveys or homestead donations in all cases where use and occupancy can be shown for a period of twenty-five years prior to the passage of this act are hereby validated and the title thereto confirmed to the original grantees, their heirs or their assigns, and the Commissioner of the Land Office is hereby authorized and required to issue patents in accordance with the statute providing for the issuance of patents.

Sec. 2. The difficulty in perfecting early-day titles and the fact that such titles ought to be confirmed and the surveys validated, and the crowded condition of the calendar, create an imperative public necessity requiring the constitutional rule which provides that all bills be read on three several days should be suspended, and it is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

SMALL,
PARRISH,
WOODWARD,
POLLARD,
HOPKINS,

On the part of the Senate.

ADKINS,
POPE,
WAGSTAFF,
STEVENSON,
BEDFORD,

On the part of the House.

On motion of Mr. Adkins, the report was adopted by the following vote:

Yeas—107.

Adams of Harris.	Alsup.
Adams of Jasper.	Baker.
Adamson.	Barron.
Adkins.	Beck.
Akin.	Bounds.

Boyd.	Kennedy.
Bradley.	Laird.
Brice.	Lee.
Bryant.	Lemens.
Burns of Walker.	Lilley.
Burns	Lockhart.
of McCulloch.	Long.
Carpenter.	McDougald.
Caven.	McGill.
Claunch.	Magee.
Coltrin.	Mehl.
Cox of Lamar.	Metcalfe.
Dale.	Moffett.
Davis.	Moore.
DeWolfe.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dowell.	Petsch.
Dunlap.	Pope.
Dwyer.	Ratliff.
Elliott.	Ray.
Engelhard.	Reader.
Farmer.	Richardson.
Ferguson.	Rogers.
Fisher.	Rountree.
Forbes.	Sanders.
Ford.	Satterwhite.
Fuchs.	Savage.
Gilbert.	Scott.
Giles.	Shelton.
Goodman.	Smith of Bastrop.
Graves.	Smith of Wood.
Greathouse.	Stephens.
Hanson.	Stevenson.
Hardy.	Steward.
Harman.	Strong.
Harrison	Sullivant.
of Waller.	Tarwater.
Hatchitt.	Terrell
Herzik.	of Cherokee.
Hines.	Towery.
Holder.	Turner.
Holland.	Vaughan.
Hoskins.	Veatch.
Hubbard.	Wagstaff.
Hughes.	Walker.
Johnson	Warwick.
of Dimmit.	West of Coryell.
Johnson of Morris.	West of Cameron.
Jones of Shelby.	Young.
Keller.	

Nays—2.

Bond.	McCombs.
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Absent.

Albritton.	Harrison
Bedford.	of El Paso.
Coombes.	Hefley.
Cox of Limestone.	Hill.
Cunningham.	Holloway.
Daniel.	Howesley.
Duvall.	Jackson.
Farrar.	Johnson
Finn.	of Dallam.
Grogan.	Jones of Atascosa.

Lasseter.	Sparkman.
Leonard.	Terrell
McGregor.	of Val Verde.
Martin.	Van Zandt.
Mathis.	Weinert.
Munson.	Westbrook.
Nicholson.	Wiggs.
Patterson.	Wyatt.

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

NOTICES GIVEN.

Mr. Hubbard gave notice that he would, on tomorrow, move to take up for consideration at that time House bill No. 163, which bill had heretofore been laid on the table subject to call.

Mr. Pope gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 91, which bill had heretofore been laid on the table subject to call.

HOUSE BILL NO. 625 WITH SENATE AMENDMENTS.

Mr. Burns of McCulloch called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 625, A bill to be entitled "An Act defining trappers; requiring a license, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Burns of McCulloch moved that the House concur in the Senate amendments.

Mr. McDougald moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

Question first recurring on the motion by Mr. McDougald, it prevailed.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 311, "An Act to validate assessment ordinances and to validate the lien attempted to be created thereby in cities in the State of Texas

having a population of more than one hundred thousand (100,000) according to the last preceding United States census, where State, county and Federal governments have contributed to the cost of improvements, and validating all actions, ordinances and proceedings taken, repealing all laws or parts of laws in conflict herewith, and providing that if a portion of this act shall be declared unconstitutional the remainder shall not be affected thereby, and declaring an emergency."

H. B. No. 980, "An Act creating Liberty County Conservation and Reclamation District No. 3 under authority of Section 59, Article 16, of the Constitution, granting to said district the powers conferred by General Laws, providing that no election and no action by the commissioners court shall be necessary to authorize the creation of this district, providing for appointment of commissioners for said district, providing that all general laws concerning drainage and conservation and reclamation districts are applicable to said district, and declaring an emergency."

ADJOURNMENT.

Mr. Lockhart moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Satterwhite moved that the House recess to 9 o'clock a. m. tomorrow.

Question first recurring on the motion by Mr. Lockhart, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—61.

Adams of Jasper.	Hill.
Adamson.	Holder.
Albritton.	Holland.
Baker.	Hubbard.
Beck.	Hughes.
Bond.	Johnson
Boyd.	of Dimmit.
Bradley.	Johnson of Morris.
Bryant.	Jones of Shelby.
Caven.	Keller.
Claunch.	Kennedy.
Dodd.	Laird.
Donnell.	Lilley.
Dowell.	Lockhart.
Dwyer.	Long.
Forbes.	McCombs.
Ford.	Magee.
Gilbert.	Mehl.
Graves.	Metcalfe.
Greathouse.	Murphy.
Grogan.	Olsen.
Hatchitt.	Petsch.

Ratliff.	Strong.
Reader.	Sullivant.
Richardson.	Terrell
Rountree.	of Cherokee.
Sanders.	Towery.
Savage.	Turner.
Shelton.	Wagstaff.
Smith of Bastrop.	Warwick.
Sparkman.	West of Coryell.
Steward.	

Nays—40.

Adkins.	Hoskins.
Akin.	Lee.
Alsup.	Lemens.
Bedford.	McDougald.
Bounds.	McGregor.
Coltrin.	Moffett.
Coombes.	Moore.
Cunningham.	Munson.
Elliott.	Pope.
Engelhard.	Ray.
Farmer.	Rogers.
Ferguson.	Satterwhite.
Fisher.	Scott.
Fuchs.	Smith of Wood.
Giles.	Stephens.
Goodman.	Stevenson.
Hanson.	Tarwater.
Harman.	Vaughan.
Harrison	Veatch.
of Waller.	Walker.
Herzik.	

Absent.

Adams of Harris.	Howsley.
Barron.	Jackson.
Brice.	Johnson
Burns of Walker.	of Dallam.
Burns	Jones of Atascosa.
of McCulloch.	Lasseter.
Carpenter.	Leonard.
Cox of Lamar.	McGill.
Cox of Limestone.	Martin.
Dale.	Mathis.
Daniel.	Nicholson.
Davis.	O'Quinn.
DeWolfe.	Patterson.
Dunlap.	Terrell
Duvall.	of Val Verde.
Farrar.	Van Zandt.
Finn.	Weinert.
Hardy.	West of Cameron.
Harrison	Westbrook.
of El Paso.	Wiggs.
Helley.	Wyatt.
Hines.	Young.
Holloway.	

Absent—Excused.

Anderson.	Morse.
Brooks.	Ramsey.
Justiss.	Sherrill.
Kayton.	

The House, accordingly, at 5:40 o'clock p. m. adjourned until 9 o'clock a. m., Tuesday, April 21.

APPENDIX.

STANDING COMMITTEE REPORTS.

The Committee on Appropriations filed a favorable report on Senate bill No. 483.

The Committee on Appropriations filed adverse reports on House bills Nos. 529 and 933.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 899, A bill to be entitled "An Act to repeal Articles 847 and 848 of the Code of Criminal Procedure of the State of Texas, 1925, and re-enacting certain portions of said act, and providing for additional procedure, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 798, A bill to be entitled "An Act to amend Article 1119 of the Revised Civil Statutes of 1925, so as to change the population of towns coming within its scope from 2000 to 1000, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 677, A bill to be entitled "An Act repealing an act of the Thirtieth Legislature approving a compact entered into on February 10, 1925, by the Commissioner of State of Texas with Commissioner of State of New Mexico, relating to the storage, division and use of the waters of the Pecos river in the States of Texas and New Mexico,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 663, A bill to be entitled "An Act directing the Attorney General of the State of Texas to investigate the facts and authorizing him to file a suit against the State of New Mexico and other necessary or proper parties for damages and to secure for the State of Texas its proportionate part of the waters of the Pecos river for irrigation and power; authorizing the employment of an attorney specializing in irrigation law to assist the Attorney General in such suit, and appropriating money to pay the expense of such investigation and suit,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 595, A bill to be entitled "An Act to amend Article 3269 of the Revised Civil Statutes of 1925, providing for procedure and practice in suits against those having the right of eminent domain for property, damages to property, or injunction, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 592, A bill to be entitled "An Act amending Article 3883 of the Revised Civil Statutes of 1925, as amended by Acts, 1930, Forty-first Legislature, Fourth Called Session, page 30, Chapter 20; said article relating to fees and compensation of county, district and precinct officers; declaring an emergency, and provid-

ing that this act shall become effective from and after its passage,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 471, A bill to be entitled "An Act authorizing suits to be brought and maintained against persons owning or claiming any interest in lands, in cases (a) when land or any interest therein has been or may hereafter be conveyed by written instrument to any person as trustee and in such conveyance or instrument constituting source of title the names of the persons taking or holding the beneficial or equitable title are not disclosed and are unknown, and (b) when land or an interest therein has been conveyed by written instrument to an association, joint stock company or partnership, and after such conveyance said association, joint stock company or partnership has been dissolved, and the names of the persons owning, acquiring or becoming the owners of the assets and lands of such association are not disclosed in such conveyance and are unknown; providing how such unknown persons shall be made parties; prescribing the procedure in such cases, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 419, A bill to be entitled "An Act amending Chapter 7, Title 93, of the Revised Civil Statutes of 1925, as amended by Acts of Regular Session of the Forty-first Legislature, by adding the following new articles numbered as follows: Articles 5736a, 5736b, 5736c, 5736d and 5736e, establishing Babcock test as official dairy test for butterfat; providing for methods of operating said test, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 319, A bill to be entitled
"An Act to amend Article 1977 of
Revised Civil Statutes of Texas of
1925, so as to provide the requisites
of pleadings of the plaintiff and the
filing of amended and or supple-
mental pleadings in cases against
non-residents, transient persons, and
persons whose whereabouts are un-
known, and declaring an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 303, A bill to be entitled
"An Act to amend Article 2021 of
the Revised Civil Statutes of Texas,
1925, so as to provide that all cita-
tions and notices mentioned in Chap-
ter III of Title 42 of the Revised
Civil Statutes of Texas, shall contain
the requisites prescribed in Title 42
of the Revised Civil Statutes of Texas,
1925; and provided further, that all
such requisites prescribed in said Title
42 of the Revised Civil Statutes of
Texas, 1925, as to the requisites, issu-
ance, service, and return of citations
shall be directory and not manda-
tory,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 150, A bill to be entitled
"An Act amending Article 6204, Re-
vised Civil Statutes of 1925, as
amended by Chapter 82, General Laws
of the Fifth Called Session of the
Forty-first Legislature, and amending
Article 6205, Revised Civil Statutes
of 1925 as amended by Chapter 153,
General and Special Laws of the For-
ty-first Legislature, and as further
amended by Chapter 82, General Laws
of the Fifth Called Session of the

Forty-first Legislature; and amend-
ing Article 6221, Revised Civil Stat-
utes, 1925, as amended by Chapter 5,
General Laws of the Second Called
Session of the Forty-first Legislature,
and as further amended by Chapter
82, General Laws of the Fifth Called
Session of the Forty-first Legislature,
etc., and declaring an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 704, A bill to be entitled
"An Act to provide that no officer or
employe of the State of Texas, any
county, city, town, or village, or any
municipality or political subdivision,
using or accepting the benefits of any
free pass or franking privilege of any
railroad, interurban, motor bus or
other transportation line, shall charge
or collect from the State, county, city,
town, village, municipality, or politi-
cal subdivision, the amount he would
have paid had he not used such free
pass; fixing penalty, and declaring an
emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 550, A bill to be entitled
"An Act amending Articles 1034 and
1035 of the Code of Criminal Pro-
cedure of 1925, so as to hereafter
make the approval of officers' felony
accounts to be made by the district
judge, subject to and conditioned
with the approval of the State Comp-
troller; providing for the recording
of such approval in the minutes of
the district court; providing that the
district clerk shall make a certified
copy from the minutes of said court
of said bill and the action of the judge
thereon, and the sending of the same
by registered mail to the Comptroller,
etc., and declaring an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 749, A bill to be entitled
"An Act requiring the Game, Fish and
Oyster Commission to set aside and
designate portions of the fresh water
lakes, streams, creeks, rivers, lagoons
and ponds of this State as fish sanc-
tuaries for the propagation in their
natural state of fresh water fish, etc.,
and declaring an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 867, A bill to be entitled
"An Act to amend Article 775 of
Chapter 3, Title 9, of the Code of
Criminal Procedure of Texas of 1925,
prescribing when the sentence shall be
an indeterminate sentence, and fixing
the time a penitentiary sentence shall
begin to run, and declaring an emer-
gency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 959, A bill to be entitled
"An Act amending Article 5095, Re-
vised Statutes of Texas, 1925, and
declaring an emergency,"

(Relating to intoxicating liquor;
Comptroller to furnish forms for the
sale of.)

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 473, A bill to be entitled
"An Act regulating the filing and re-
cording of maps and plats of sub-

divisions and re-subdivisions of real
estate and conveyances of a subdivi-
sion or part thereof without duly au-
thorized map thereof on record, and
prescribing penalties for the viola-
tion thereof, and declaring an emer-
gency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 664, A bill to be entitled
"An Act to amend Article 2905, Re-
vised Civil Statutes, State of Texas,
1925, conferring the authority upon
the county school trustees to exercise
the right of eminent domain to ac-
quire title to real property for com-
mon school districts and independent
school districts having fewer than 150
scholastics; repealing all laws in con-
flict herewith, and declaring an emer-
gency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 331, A bill to be entitled
"An Act to repeal Articles 7280, 7323,
7327, 7329, 7332, 7335, 7342 and 7349,
of the Revised Civil Statutes of Texas,
1925, and Chapter 20, page 25, Acts of
Regular Session of the Fortieth Leg-
islature, and Chapters 69 and 70, page
195, and Chapter 99, page 260, of the
Acts of the First Called Session of the
Fortieth Legislature, etc, and declar-
ing an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 994, A bill to be entitled
"An Act authorizing the Governor to
negotiate a compact with the State
of New Mexico for the purpose of co-

operating with the State of New Mexico to permit school districts of incorporated towns, or union high school districts in Texas adjoining Texas-New Mexico State line, to combine with school districts, incorporated towns and other educational subdivisions of the State of New Mexico adjoining the Texas-New Mexico State line to promote educational facilities and to permit co-operative measures to be adopted for the financing of school buildings and teachers' staffs for the same; authorizing the Governor of Texas to appoint a commissioner therefor, and providing an appropriation to defray his expenses, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 844, "An Act to create a State Commission for the Blind to prepare and maintain a register of those blind persons living in the State of Texas in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind; to assist other agencies in developing home industries among the blind; to aid in furnishing books, material and tools for rehabilitation of the blind, to devise other means of helping them; to adopt such measures as may be expedient for the prevention and cure of blindness, and empower such commission to receive and expend donations to carry out the purposes of this act, providing for the appointment thereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 311, "An Act to validate assessment ordinances and to validate

the lien attempted to be created hereby in cities in the State of Texas having a population of more than one hundred thousand (100,000) according to the last preceding United States census, where State, county and Federal governments have contributed to the cost of improvements and validating all actions, ordinances and proceedings taken, repealing all laws or parts of laws in conflict herewith and providing that if a portion of this act shall be declared unconstitutional the remainder shall not be affected thereby, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 980, "An Act creating Liberty County Conservation and Reclamation District No. 3 under authority of Section 59, Article 16, of the Constitution, granting to said district the powers conferred by General Laws, providing that no election and no action by the commissioners court shall be necessary to authorize the creation of this district, providing for appointment of commissioners for said district, providing that all general laws concerning drainage and conservation and reclamation districts are applicable to said district, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 956, "An Act relating to the performance of road duty in Wood county, Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 656, "An Act to repeal an

Act of the Thirty-third Legislature, First Called Session, 1913, being Senate bill No. 22, creating a road system for Hall county, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

FORTY-FIFTH DAY.

(Tuesday, April 21, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Finn.
Adams of Harris.	Fisher.
Adams of Jasper.	Forbes.
Adamson.	Ford.
Adkins.	Fuchs.
Akin.	Gilbert.
Albritton.	Giles.
Alsup.	Goodman.
Anderson.	Graves.
Baker.	Greathouse.
Barron.	Grogan.
Beck.	Hanson.
Bedford.	Harman.
Bond.	Harrison
Bounds.	of El Paso.
Boyd.	Harrison
Bradley.	of Waller.
Brice.	Hatchitt.
Brooks.	Hefley.
Bryant.	Herzik.
Burns of Walker.	Hill.
Burns	Hines.
of McCulloch.	Holder.
Carpenter.	Holland.
Caven.	Holloway.
Claunch.	Hoskins.
Coltrin.	Howsley.
Coombes.	Hubbard.
Cox of Lamar.	Hughes.
Cox of Limestone.	Jackson.
Cunningham.	Johnson
Dale.	of Dallam.
Daniel.	Johnson
Davis.	of Dimmit.
DeWolfe.	Johnson of Morris.
Dodd.	Jones of Shelby.
Donnell.	Jones of Atascosa.
Dowell.	Justiss.
Dunlap.	Kayton.
Duvall.	Keller.
Dwyer.	Kennedy.
Elliott.	Laird.
Engelhard.	Lee.
Farmer.	Lemens.
Farrar.	Leonard.
Ferguson.	Lilley.

Lockhart.	Shelton.
Long.	Sherrill.
McCombs.	Smith of Bastrop.
McDougald.	Smith of Wood.
McGill.	Sparkman.
McGregor.	Stephens.
Magee.	Stevenson.
Mathis.	Steward.
Mehl.	Strong.
Metcalfe.	Sullivant.
Moffett.	Tarwater.
Moore.	Terrell
Munson.	of Cherokee.
Murphy.	Terrell
Nicholson.	of Val Verde.
Olsen.	Towery.
O'Quinn.	Turner.
Patterson.	Van Zandt.
Petsch.	Vaughan.
Pope.	Veatch.
Ratliff.	Wagstaff.
Ray.	Walker.
Reader.	Warwick.
Richardson.	Weinert.
Rogers.	West of Coryell.
Rountree.	West of Cameron.
Sanders.	Westbrook.
Satterwhite.	Wiggs.
Savage.	Young.
Scott.	

Absent.

Lasseter. Martin.

Absent—Excused.

Hardy. Ramsey.
Morse. Wyatt.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Dale for today, on motion of Mr. Fisher.

Mr. Wyatt for today, on motion of Mr. Fisher.

Mr. Hardy for today, on motion of Mr. Burns of Walker.

Mr. Lasseter for today, on motion of Mr. Caven.

Mr. Ramsey was granted leave of absence for today on account of illness, on motion of Mr. Adams of Jasper.

BILL ORDERED NOT PRINTED.

On motion of Mr. McGill, Senate bill No. 280 was ordered not printed.